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LAND PROJECT, RWANDA

**REPORT ON DISTRICT
INFORMATION SESSIONS: Implementation of Rwanda's Expropriation Law and
Outcomes on the Population
July 2015
Strategic Objective 1**

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Prepared By

**Chemonics International Inc.
1717 H. Street NW #1
Washington, DC 20006
Phone: 202-955-3300
Fax: 202-955-3400
www.chemonics.com**



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REPORT ON DISTRICT INFORMATION SESSIONS

Implementation of Rwanda's Expropriation Law and Outcomes on the Population

July 2015

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CONTACT INFORMATION:

Anna Knox
Chief of Party
LAND Project
Nyarutarama, Kigali
Tel: +250 786 689 685

aknox@land-project.org

REPORT ON DISTRICT INFORMATION SESSIONS

IMPLEMENTATION OF RWANDA'S EXPROPRIATION LAW
AND OUTCOMES ON THE POPULATION

PREPARED BY LEGAL AID FORUM

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I. INTRODUCTION

This report is one in a series of documents based on a study of the Implementation of Rwanda's Expropriation Law and Outcomes on the Population. It reports on the format and outcomes of the Information Sessions held with District Officials. The report will be followed in due course by the presentation and analysis of data from a national survey of expropriated households in Rwanda. As described in the Background Information section of this report, both the qualitative and sample survey components of the study are being implemented by the Legal Aid Forum (hereinafter "LAF" or "the research team"), and are funded by the United States Agency for International Development (USAID) through the LAND Project.

A. Background Information

Initiated in June 2012, the LAND Project seeks to strengthen the resilience of Rwandan citizens, communities and institutions and their ability to adapt to land-related economic, environmental and social change. Building the capacity of Rwandan institutions to produce high quality, evidence based research on land is a critical part of reaching this goal. Solid, empirical research is fundamental to the identification of needed policy changes in the land sector and also to validate policies and laws that are already contributing to stronger citizen resilience and improved livelihoods.

From February 10-12, 2014, the LAND Project held a multi-stakeholder workshop to identify key, policy-relevant research priorities on land. Drawing from a list of 44 research themes submitted in advance of the workshop, participants collaborated to distill this down to three research priorities that would receive LAND Project support this year:

1. To what extent are land tenure administration systems known, accessible and affordable to all Rwandan citizens? What are some of the primary impacts of land certificates and the land administration system, including access to credit for smallholders?
2. What is the impact of gendered legal rights to land, including on the prevalence and nature of intra- and inter-household disputes? What channels do men and women use to bring disputes and assert their rights? How effective are these?
3. What is the status of processes and procedures for the implementation of the Expropriation Law? What are the key challenges and impacts from the implementation of this law?

Subsequently, the LAND Project sought the views of several Government of Rwanda (GoR) institutions whose mandates intersect with these research priorities to help inform that development of draft technical Terms of Reference for each theme. This was done to ensure that the research was responsive to the information needs of policy makers. On May 13, 2014, the draft Terms of Reference were published in the New Times and igihe.com and also sent directly to many civil society, research and government institutions operating in the land sector in Rwanda as a Request for Comments. LAND Project staff then reviewed the

comments received and used these to inform revisions to the Terms of Reference for each of the research themes.

The Legal Aid Forum (hereinafter “LAF” or “the research team”), submitted a bid and was awarded the funding to carry out research for topic 3 above, relating to the implementation of the expropriation law and the outcomes on the population.

This subcontract from the LAND Project to LAF seeks to generate high quality, evidence-based research on the implementation of Rwanda’s Expropriation Law and outcomes on the population. The research is designed to equip decision-makers and civil society with reliable information on which to assess the need for policy adaptation. The award further aims to augment the experience of local organizations in carrying out rigorous research on land-related themes and also strengthen their capacity to do so through teaming with external research partners that have proven skills in research design, research methods, data analysis, analyzing complex land issues, and effectively communicating research to influence policy.

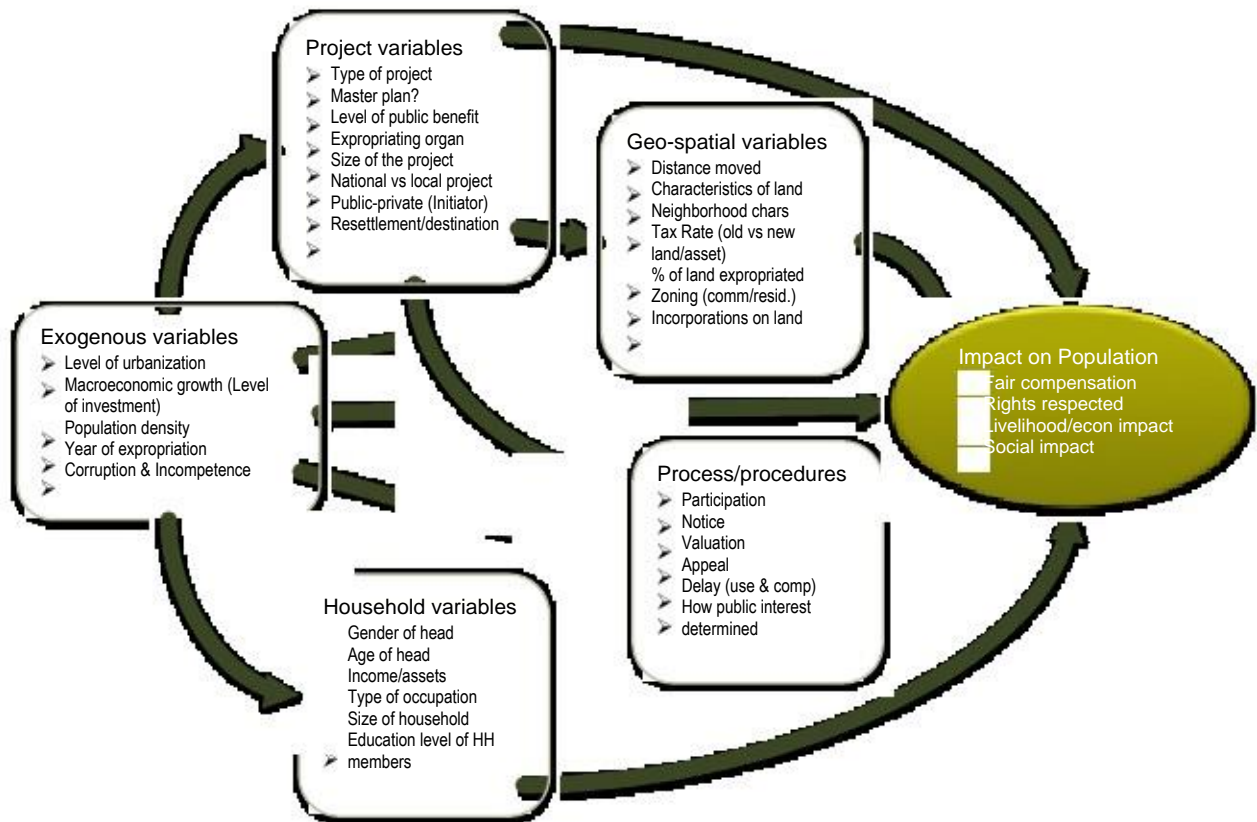
B. Research Questions

This study on Rwanda’s Expropriation Law and Outcomes on the Population aims to answer the following research questions:

- To what extent has the process used for expropriation complied with the governing legal framework, and specifically the 2007 Law on Expropriation? Are “public interest” principles appropriately applied? To what extent do processes and procedures for expropriation in practice comply with international guidelines and best practice for expropriation?
- Which institutions are legally responsible for implementation of expropriation and what is the practice?
- Has full compensation been awarded prior to actions taken to remove people from their land or otherwise reducing the rights they had to the land? Is relocation support provided? How is property valuation undertaken and the amount and type of compensation determined?
- Where challenges and shortcomings have been identified in implementing expropriation? What are the reasons?
- What have been the outcomes of expropriation on the livelihoods of those expropriated, such as acquisition of new land and housing, access to income-generating opportunities, family and community relations, social capital, tenure security, income, poverty, and other welfare outcomes?
- What alternatives to expropriation exist that support dynamic urban and economic growth while also strengthening tenure security and protecting the livelihoods of the poor and vulnerable?
- What recommendations can be offered to improve implementation of expropriation to ensure it is done in full compliance with the law?
- What recommendations can be offered to improve policy governing expropriation to foster a climate of tenure security among Rwandan citizens, mitigate negative consequences on those expropriated, and ensure returns on investments substantially outweigh the costs and benefit the most vulnerable members of society?

Based on these research questions, the research team developed the following conceptual framework for the research:

Conceptual Framework: Implementation of Rwanda's Expropriation Law and Outcomes on the Population



This conceptual framework reflects the variables that the research team has identified that will influence the research questions. These variables are being examined through qualitative research, as well as quantitative research in the form of a household survey.

In light of the research questions and the conceptual framework of the study, the research team went to great lengths to gather extensive qualitative data from stakeholders in the expropriation process. Furthermore, one of the main aims of this research is outreach and sensitization of key actors and officials to the results of the study. Accordingly, the research team held three information sessions that gathered officials from 13 out of the 15 Districts where the fieldwork was carried out in order to share and validate the findings of the research.

II. COMPOSITION AND AGENDA OF INFORMATION SESSIONS

From 3 – 5 June 2015, the Legal Aid Forum conducted Focus Group Discussions and Information Sessions with officials from the Districts where fieldwork was carried out for the expropriation research. Annex 1 contains the agenda for the sessions. These sessions were held in three urban centers, selected to get the largest geographic coverage and be at the greatest convenience of the participants.

The first session, which was held on 3 June 2015 at Four Steps Hotel in Huye, brought together officials from Rusizi, Nyamasheke, and Ngororero Districts from the Western Province, as well as officials from Nyaruguru and Nyamagabe Districts of the Southern Province. The second session was held on 4 June 2015 at Fatima Hotel in Musanze, and brought together officials from Musanze, Gakenke, and Burera Districts of the Northern Province. The third session was held at Hilltop Hotel in Kigali on 5 June 2015, and brought together officials from Kicukiro, Nyarugenge, and Gasabo Districts of the City of Kigali, as well as officials from Kayonza and Rwamagana Districts from the Eastern Province. Only officials from Muhanga and Bugesera Districts were not able to attend these sessions.



Focus group discussions/information sessions with District officials from the Eastern Province and Kigali City

During these discussions, each District was represented by two officials: 1) the head of the District Land Office/One-Stop Center (DLO/OSC) or the officer in charge of infrastructure, and 2) the Director of Good Governance or the Planning Officer. The DLO officials were invited to these sessions because expropriation projects must go through the District Land Offices, so the officials in that office are the key implementers of expropriation projects at the District level. The Director of Good Governance was invited because he or she very closely participates in the District planning process and budget allocations, which in fact involve expropriation projects at the District level. The Director of Good Governance also assumes the role of acting District Executive Secretary in the event of a temporary vacancy, and the Executive Secretary of the District is the chief budget manager of the District.



Focus group discussions/information sessions with District officials from the Northern Province

These discussion sessions held with District officials were complementary to the information obtained from key informant interviews with the 15 Sector Executive Secretaries, with one randomly selected from each of the sampled Districts. With the preliminary findings from the extensive qualitative research already completed, and the recent finalization of the fieldwork, these sessions were used to present the preliminary findings from both qualitative and quantitative research, and also to gather other insights from the District level that might inform the research and presentation of the final report.



Focus group discussions/information sessions with District officials from the Southern and Western Provinces

To guide and stimulate discussions, a number of points that emerged from the preliminary findings of the research were presented as discussion questions (see Annex 2). During the sessions, the presenter also acted as a facilitator to both explain the findings and obtain the opinions and experiences of these local authorities about certain issues, phenomena, and patterns that had emerged in the preliminary findings.

III. DETAILED ACCOUNT OF TOPICS DISCUSSED AT THE INFORMATION SESSIONS

The discussions were very lively and participatory, with District officials showing openness in their reactions and responses. It was clear in the sessions that these District officials also wanted to see change and improvements in the process of expropriation, with many openly acknowledging and identifying the weaknesses and potential injustices in the process. The topics discussed followed the main findings of the research: 1) valuation; 2) planning and coordination; 3) notice to concerned households; 4) public participation in the process; 5) payment of compensation; and 6) recommendations from District officials.

A. Valuation of land subject to expropriation

The preliminary findings of the research showed haphazard determination of the value of land subject to expropriation. When the District officials were asked to comment on this issue, it was clear that no standardized approach to determine the price for square meter exists for land valued at the District level. Some District officials cited the values provided in the 2009 Ministerial Orders related to the price of land in rural and urban areas.¹ Others stated that valuation was determined based on prices set by the relevant District administrative council (Njyanama y'Akarere), applicable to each local area. Still others explained that the District official in charge of expropriation (land officer and/or infrastructure officer) determined these prices, based on the information from the District Land Office by considering recent comparable sales in the area, as well as information from the relevant Sector and Cell authorities.² Some other districts, especially in Kigali City and in urban areas, explained that the values were determined by independent valuers who based those decisions on the true market prices of the land.

Among some of the Districts still using the prices set by the 2009 Ministerial Orders, many acknowledged that these prices are low and do not match the current market values of the land. One district official reported, “We use the price set by the District Administrative Council, but if someone complains, then we do a counter-valuation based on the market prices.”³ This shows that District officials are aware that their locally-set land prices are probably below market value, but hope that they can nonetheless rely on those prices in carrying out their projects. When District officials were asked to consider the preliminary findings regarding differing valuation of lands in the same area expropriated by different entities or for different types of projects, some officials opined that the discrepancy was caused by the manner of calculating the price per square meter, whereby some entities would use the reference land prices from the Ministerial Orders, and others would use locally-

¹ FGD held in Kigali with District Officials from Gasabo, Nyarugenge, Kicukiro, Rwamagana and Kayanza Districts on 05 June 2015 at Hill Top Hotel (hereinafter “Kigali District Officials FGD”); FGD held in Huye with District Officials from Nyamagabe, Nyamasheke, Rusizi, Ngororero and Nyaruguru Districts on 03 June 2015 at 4 Steps Hotel (hereinafter “Huye District Officials FGD”).

² FGD held in Musanze with District Officials from Musanze, Burera and Gakenke Districts on 04 June 2015 at Centre d'Accueil Notre Dame de Fatima (hereinafter “Musanze District Officials FGD”).

³ Kigali District Officials FGD.

determined prices, whereas still others may actually use market prices and independent valuers. In this way, District officials acknowledged their own challenges with determining proper valuation, challenges they likened to those being faced by all expropriating institutions.

Based on the preliminary findings that low valuation was a primary concern of expropriated individuals, District officials to give their opinions on whether they believed the compensation provided in expropriation projects is fair. The responses from these officials on this issue were varied. Some stated that the compensation is fair given that it is calculated based on market prices. Other officials admitted that sometimes the compensation is not fair, especially when the valuation is done by District staff who already know the available budget, which is almost always insufficient considering the full cost of the project needs. Apart from this prior knowledge of the existing budget, which tends to bias valuation decisions done by District staff, some also mentioned the pressure they get from their superiors to reduce the prices.

District officials were sensitized to the requirement to determine values based on market prices of land and the requirement to use independent valuers, measures that are consistent with the amended version of the expropriation law awaiting promulgation. When asked about using independent valuers, most of the District officials agreed that the valuation exercise should be done by external independent valuers. All District officials agreed that the prices set by the 2009 Ministerial Order are unfair and do not match market prices. One official during the Huye session stated, “Sometimes I also see that the price applied is not fair, but I have no choice in applying it because I have to use the prices set by the Ministerial Order [on reference land prices].” Some officials believed that expropriation projects should be categorized, and the valuation exercise for large projects should be done by independent valuers, whereas District staff could carry out valuation for small projects using market prices. Nonetheless, even those District officials who suggested that the District officer in charge of expropriation should still do some valuation for small projects, suggested that these District officials be registered under the Institute of Real Property Valuers, governed by the Institute’s code of conduct and benefitting from the professional training given to the valuers.

When discussing preliminary findings on the complete lack of compensation in some cases, District officials explained their experiences with the 2008 Ministerial Order on Land Leases. Officials cited Article 15 of the Order, which allows the government to take less than 5% of an individual’s private land for public interest projects without compensation. Apart from this permissible government taking of private land without compensation, District officials denied taking any land without compensation. Some District officials, however, referred to the new law governing roads, which extends the width of certain roads. They reported instances where these road extensions essentially became uncompensated takings as the government often failed to pay for the land expropriated for such projects.⁴

District officials were also informed about some findings related to low valuation. For example, the finding that some expropriated people reported that activities they carried out on

⁴ Law No.55/2011 of 14/12/2011 governing roads in Rwanda.

their land, such as cultivating crops, were often excluded from the valuation exercise was discussed. This also raised a related point concerning expropriated households that reported they had only been paid for a portion of their property which was determined to be required for a project. Nevertheless, in the process of expropriation, their entire property was destroyed. For example, cases were discussed of road projects whereby the physical space plotted for a road was only a small portion of the property, but since it ran directly through a house or structure, that structure had to be destroyed. However, only the space occupied by the road was compensated. In fact, District officials acknowledged that they were aware of such cases happening in some of their areas, but claimed the problem was no longer common, and that landowners were now compensated for the entire amount of the lost or useless property in such instances.⁵

B. Planning and coordination

District officials were also introduced to the preliminary research findings identifying poor planning and coordination as a key breakdown in the expropriation process. District officials noted that most of the District expropriation projects derive from the District master plans and are realized through District Development Plans (DDP), which are five-year District plans developed through consultations with the population and other stakeholders within the District. However, in addition to their local development priorities, District officials also noted that they are often faced with external and urgent projects coming from the central government, which require immediate implementation. District officials reported that these projects often suffered serious problems in their implementation, as they were often not properly planned.⁶ Officials reported that they frequently did not receive any budget support from the central government in implementing some of these small, urgent projects. Rather, they were forced to improvise solutions within their existing District budgets or through other methods such as the 5% uncompensated takings provision from the Ministerial Order on Land Leases.

District officials were also sensitized to the research findings regarding some of the populations' and other government officials' concerns that the determination of the acts of public interest permitted by the law were not adequately assessed by the public. District officials submitted that, for projects included in the DDPs, the "public interest" nature of the projects was, to their understanding, already approved by the citizens themselves during the consultations required for the eventual adoption of these plans. Nevertheless, District officials admitted that citizens may only play a symbolic role in the development of the Master Plans through their representatives at the District Council level. It was agreed that, though the population was represented by the District Council, the majority of the population was not aware of the contents of the Master Plan because they are not adequately explained to the population once they are adopted.

⁵ Kigali District Officials FGD; Huye District Officials FGD.

⁶ Kigali District Officials FGD.

When District officials were informed about findings related to expropriation projects carried out by private investors, and concerns about corrupt dealings between investors and local authorities, District officials denied colluding with investors.⁷ They explained that when a private investor comes to the District, they facilitate linking the investor with the landowners in order for the investor to negotiate directly with the landowners over a price. Then, the District facilitates the processes such as valuation and compensation. They denied the allegation of expropriated households that claimed that District officials favor investors because they help them realize their *imihigo* (performance contract) plans. Local leaders did assert that there are landowners who are intractable when negotiating with private investors and can end up risking an entire project for no understandable reason. In such cases, District authorities intervene to mediate these problems—perhaps by advising the concerned person to order a counter-valuation by a different valuer, and then using the two valuations as a basis for negotiations. In some Districts, the district staff work with the independent valuers hired by the investors in actually carrying out the valuation.⁸ Some District officials, however, agreed that in many of these instances, the District authorities are more concerned about executing their *imihigo* than protecting citizens’ interests.⁹

C. Notice to the concerned population

District officials were also presented with preliminary research findings regarding the manner and effectiveness of notice to households that would be expropriated, including the fact that a large portion of individuals reported not being notified, and most reported being informed at public meetings usually convened by local authorities, whether or not the project was being carried out by the local authorities. The District officials supported the findings that community meetings were the predominant mode of notice. These meetings are organized and presided over by the local authorities, but especially those at the District level. Where the project is initiated by a central government institution or other State agencies, District officials reported that these institutions would sometimes send delegates to participate in the community meetings, but at other times, the District authorities were expected to facilitate the community meetings and consultations without the presence of representatives from the actual expropriating entity.

District officials also discussed the number of consultations or meetings held, reporting that they often convened multiple meetings, where the first meeting would be to inform/sensitize the population about the project, and a subsequent meeting would be to inform them of upcoming valuation exercise, and then the a final meeting would be convened to publicly announce the outcome of the valuation, discuss any complaints over valuation, facilitate the signing of valuation reports, and discuss the process for receiving compensation. Nevertheless, local leaders acknowledged some weaknesses noted in the research findings regarding giving notice to the concerned population. In particular, they confirmed that some expropriation projects, especially water and electricity projects which do not typically require

⁷ Musanze District Officials FGD.

⁸ Musanze District Officials FGD.

⁹Musanze District Officials FGD.

the taking of much land, can be expropriated without providing any notice to the landowners to be expropriated.¹⁰ In some cases, those expropriated may receive an arbitrary amount of compensation awarded without a proper valuation exercise after the land is already expropriated.

D. Public participation and public interest determination

District officials were provided details on research findings related to public participation in the expropriation process and, in particular, concerns reported on determination of public interest in some cases. District officials reported that they believed that, in most cases, the population and local authorities have little influence over the public interest determination for the project, and also where to locate the project. In most cases the expropriating institutions already have executed project feasibility studies determining the “appropriateness” of the identified project location. It was generally agreed by District officials that the concerned population plays very little or no role at all in influencing the outcomes of, or even being considered in, these studies. The District officials reported that they are often performed by outside consultants who do not seem to have any understanding of the local context. It was also generally agreed that these studies most of the time just focus on the appropriateness of the site/location from a business perspective and the feasibility of the project from a budgetary standpoint, but rarely consider the human impact of the project.

When presented with the finding that the population’s support for the projects is often higher before implementation of the project, and drops lower after the project is implemented, the District officials stated that the population often responds well to the sensitization process and is eager to realize the promises made to them during the public meetings. However, after the project is implemented, the population may perceive that these promises have not been kept, and they often suffer delays in compensation because the expropriating entity did not have the funds on time, or there were many errors in the lists of households to be compensated. District authorities criticized the mentality of some citizens, claiming they are looking for quick benefits that accrue directly to them personally. If the project benefits are to be realized in the long-term and benefit the community in general rather than themselves as individuals, their support for the project diminishes, and they begin to believe that authorities lied to them. Further, District officials stated that some members of the community expect to get jobs on the expropriation site and benefit from the project in other ways. However, many of them are not competent to take on skilled labor roles.

District officials also mentioned that there are some examples of the population proactively requesting public interest projects that have led to expropriation. One example provided was in Kicukiro district, Busanza Cell, where the local population requested a road and agreed to provide a few meters of their own lands to facilitate the construction of this road. Where it was necessary to go beyond those areas pledged by the population, the District agreed to compensate the landowners according to the law. Other similar examples emerged in the

¹⁰ Musanze District Officials FGD.

discussions as well, although it was clear that such cases typically emerged in the more urbanized districts where most of the population is generally informed and educated.

E. Payment of compensation

When District officials were presented with the pervasively reported problem of delayed compensation, they shared their common experience of compensation monies not being allocated in advance, or insufficient budget being assigned for compensation in the first place due to poor planning by expropriating entities. They admitted that this is a problem even for District-implemented projects.¹¹ District officials also mentioned the problem of unnecessary bureaucratic delays, especially when the projects funds are coming from other entities or the central government.¹² In these cases, District officials reported that they find themselves unable to solve the population's problems of delayed compensation. Even though they have provided the expropriating entity with the names of households to be expropriated and facilitated completion of the project, the money simply does not come. However, local leaders also mentioned that sometimes delays are caused by expropriated households not providing correct bank account details, incorrectly spelling names, mistakes in provision of other identifying information, and failure to provide names of both owners when the land is jointly owned.

When the District officials were presented with some of the findings from the qualitative research relating to problems faced by expropriated households due to lack of guidance in how to resettle or invest their compensation, they noted that District authorities do not have a policy of following up with expropriated people, especially those who have relocated. The main reason is that District authorities deal with other categories of vulnerable groups (indigent people, orphans, etc.), and they have assumed that the people who receive cash compensation for expropriations are not in need of special attention from the District. Still, some officials did report having advised households on how to use their compensation money, and a few mentioned that they had provided support in helping expropriated households to prepare sites where they could relocate or build new homes. From the Districts officials' experience, expropriated households prefer the monetary compensation rather than alternative land or buildings. They explained that when expropriated households receive cash, they can relocate to where there are plots at lower prices and use the remaining money for other personal affairs. Also, expropriated households do not always like the area where the alternative site is located, so they prefer to have money and buy land in an area of their own choice.

F. Recommendations of District officials

District officials offered many recommendations for improvements to the expropriation process throughout the sessions. They are summarized here as follows:

¹¹ Musanze District Officials FGD; Kigali District Officials FGD

¹² Kigali District Officials FGD.

- Improved planning, including making sure that budgets are fully allocated and available before commencing projects;
- Use independent valuers to value property subject to expropriation. If it is necessary for District staff to continue carrying out valuations in some cases, they should formally register with the Institute of Real Property Valuers (IRPV) and receive professional valuation training;
Any reference land prices, or reference market prices, should be updated annually;
- Any individual property taken through expropriation should be compensated.
- Accordingly, some officials supported repealing Article 15 of the 2008 Ministerial Order on Land Leases allowing the government to take 5% of an individual's land without compensation. Others, however, saw this provision as necessary for continued national development.
Expropriated households should not be prohibited from improving their land or houses for a period of time before being compensated;
- Local authorities should always be allowed and encouraged to put the interests of the population at the center of the process, and should not merely focus on implementing the *imihigo* and adding infrastructure projects for their own performance score at the national level;
Involvement of the population should be improved in all expropriation processes/activities, and increased attention should be given to the proper sensitization of the population to the benefits, potential drawbacks, and other realities of the project, and local leader capacities should be built and enhanced in this regard;
Expropriated populations should become shareholders in the projects affecting their land, and could be provided with houses in the new settlement if the project is aimed at improving housing;
- The budget for projects initiated at the central government level should be decentralized to the Districts to facilitate timely payment of compensation;
Sites must be prepared and made available for expropriated people to relocate to, if required;
- Expropriated households required to relocate due to the expropriation should receive additional compensation for the disturbance/relocation.
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IV. CONCLUSION

These information sessions were engaging and informative for both District authorities and also the research team. Necessary follow up includes presenting District officials with the final version of the policy brief, and inviting them to the upcoming workshop and advocacy roundtables. Due to their critical role in implementation of expropriation projects, they must be engaged at all possible stages and should receive special training following the adoption of the amended expropriation law.

ANNEXES

- 1) Agenda for District Information Sessions
- 2) Discussion topics and questions
- 3) Proceedings of Huye session
- 4) Proceedings of Musanze session
- 5) Proceedings of Kigali session

DISTRICT INFORMATION SESSIONS

AGENDA

TIME	ITEM	RESPONSIBLE
8:30am – 9:00am	Arrival and registration of participants	LAF & Participants
9:00am – 9:10am	Overview of the research project	LAF
9:10am – 10:10am	Presentation of the preliminary	LAF
10:10am – 10:30am	Q&A sessions about the preliminary findings	LAF & Participants
10:30am – 10:45 am	COFEE BREAK	
10:45am – 1:00pm	Guided discussions	LAF & Participants
1:00pm	LUNCH AND DEPARTURE	

Discussion Topics and Questions

Project: Implementation of Rwanda's Expropriation law and its outcomes on the population
Guiding Questions for the District information sessions:

1. What is the role of citizens in determining the projects for public interest? Are public interest projects included in performance contracts or in the master plan of the district?
2. How is the concerned population informed/notified about the expropriation? How does the process look like?
3. Some expropriated households reported that they were not notified of expropriation. What are the reasons for this?
4. Public support of expropriation projects is higher before implementation and reduces after implementation. What could be the reasons for that?
5. Does the district assess the impact of expropriation on affected households? Do you make any follow up with the expropriated individuals/households to see their life situation post-expropriation?
6. Does the district provide any support to expropriated individuals/households in areas where they relocate (such as housing, health facilities, market facilities, roads)?
7. How is the price per square meter of land determined? What are the reasons for discrepancies in land prices for different expropriation projects? Do you think the compensation provided is fair? Is it possible for project initiator and individual households to negotiate the value of the property and compensation themselves?
8. Who values the households' property during the expropriation process?
9. What are the most recurrent complaints you receive from expropriated population?
10. What are the types of valuation complaints that citizens most submit to the district officials? How do you resolve them?
11. Some respondents say that sometimes land is not valued. Only the property on it is valued or in other cases, it is only land which is valued without considering property on it. What are the reasons for that?
12. What does compensation cover in cases of partial expropriation i.e. where only parts of property (especially shops and houses) are destroyed? Is it only the affected part of property or even the whole property is compensated?

13. What are the reasons for delaying compensation? Why do expropriated households have to wait for long and denied the right to improve on their properties while waiting for compensation?
14. According to some respondents, there are promises made before the expropriation project which are not realized. What are the reasons for that?
15. What do you think about the compensation given to expropriated households? Do you consider it is fair?
16. What assistance does the district provide to development investors (especially those whose project involve expropriating the population), and what is the role of the district in implementing such projects? Some expropriated population say that the district authorities sideline with the investor at the expense of the population, what do you about that?
17. Some expropriated households told us that there were some promises made to them at the beginning and/or during expropriation project but then never met, what are the possible reasons?
18. In general, what are the challenges (or problems) you see in expropriation projects/processes?
19. What are your recommendations and changes needed for the improvement of expropriation for public interest?



The Legal Aid Forum

Working Together for Equitable Access To Justice in Rwanda

Project: Implementation of Rwanda's Expropriation law and its outcomes on the population

Ibibazo bigenewe FGDs – Uturere twakorewemo ubushakashatsi

(Huye, 03 Kamena 2015 Hotel Four Steps)

- 20. Ni uruhe ruhari abaturage bagira mu kugena imishinga y'inyungu rusange ?
Mbese imishinga y'inyungu rusange iba iteganyijwe mu mihigo cyangwa mu gishushanyo-mbonera by'Akarere ?**

Imihigo y'Akarere n'Igishushanyo-mbonera bitegurwa n'Akarere, bikagaragarizwa n'nyanama, abaturage nta rundi ruhare bagira mu kugena imishinga y'inyungu rusange.

- 21. Abaturage bahabwa amakuru bate ku bijyanye n'igikorwa cyo kwimura abantu ku mpamvu z'inyungu rusange?**

- Hakorwa inama ya mbere y'abaturage igamije kubasobanurira umushinga
- Umushinga uba waravuye muri DDP y'Akarere;
- Nyuma hatumizwa indi nama yo kubarura imitungo. Nyuma yo kubarura ibyavuyemo bigaragarizwa abaturage, bikamanikwa kugira ngo buri wese amenye ibyo yabariwe n'abatanyuzwe babe bashobora kujuririra ibyabaruwe nabi.
Umutarage umaze kwerekwa imitungo ye yabaruwe asinya ku ifishi igaragaza ko abyemeye.
- Kugaragaza imitungo yabaruwe mu ruhame, bituma hamenyekana ukuri kuri ba nyir'ubutaka, bityo no gukosora bigahita bikorwa.
- Hakurikiraho inama yo kumenyesha ibiciro bizakurikizwa. Ibi biciro byemezwa n'inama n'nyanama. Igiciro cy'ubutaka gishyirwaho hakozwe average ku biciro byagaragajwe n'abaturage byose byakoreshejwe mu igurisha
- riheruka gukorwa. Nyuma yo kubarura abaturage bahita bishyurwa mu gihe kitarenze amezi 3.

- 22. Mu baturage babajijwe, hari abaturage bavuga ko batigeze bamenyeshwa ibijyanye n'iyimurwa ryabo. Byaba biterwa n'iki?**

Abaturage bamenyeshwa igikorwa cyo kwimura ku nyungu rusange. Hakoreshejwe inama zo kumenyesha abaturage umushinga ugiye gukorwa. Buri muturage ahabwa ifishi igaragaza imitungo ye izakorwaho n'igikorwa

cyo kwimura abantu ku mpamvu y'inyungu rusange. Iyo fishi ayisinyaho agaragaza ko yemeye imitungo ye yabaruwe bityo akaba amenyeshejwe igikorwa.

23. *Umubare munini w'abaturage ushyigikira imishinga yo kwimurwa mbere y'ishyirwa mu bikorwa ryayo. Nyuma y'ishyirwa mu bikorwa abishimiye iyo mishinga bakagabanuka. Byaba biterwa n'iki?*

Inyungu z'umushinga ziba zihari. Ariko abaturage ntibishimira ibikorwa bikora ku mitungo yabo. Kwimuka ntabwo bishimisha. Iyo hageze igihe cyo kwimuka buri gihe ntibibashimisha.

Akantu kamwe gusa katagenze neza gashobora gutuma umushinga abaturage bawanga. Urugero niba abaturage barabwiwe ko umushinga uzatanga akazi; abaturage bose ntibabone akazi, bishobora gutuma bamwe batishimira uwo mushinga ariko mu by'ukuri inyungu y'umushinga iba ihari. Hari n'igihe Abashoramari bizanira abakozi babo (nko mu gihe cyo kubaka, urugero: chinese companies) bigatuma abaturage batabona akazi, bityo ntibishimire umushinga.

Imyumvire y'abaturage (capacite d'analyse) nayo iri hasi ishobora gutuma abaturage badakomeza kwishimira umushinga (Kubaka isoko, ugasaba abaturage ko mbere yo gucuruza bagira amafranga bishyura) bituma batishimira umushinga.

24. *Ese Akarere kabasha gukurikirana imibereho y'abantu bimuwe ku bw'inyungu rusange?*

Oya ntabwo Akarere gakurikirana imibereho y'abaturage. Iyo abimuwe bamaze guhabwa ingurane yabo, buri wese arirwariza. Akarere kaba gafite inshingano nyinshi n'abandi baturage batishoboye akaba aribo bitabwaho. Iyo abaturage bimutse bakajya mu kandi Karere, ako Karere niko kaba kabafite mu nshingano, Akarere bavuyemo nta buryo buhari bwo kubakurikirana.

25. *Ese Akarere gatanga ubuhe bufasha ku baturage bimuwe (kububakira amazu, amavuriro amasoko, imihanda) aho bagiye gutura?*

Akarere gatanga inama ku buryo amafranga yakoresheje nyuma yo kwishyurwa.

Hategurwa za sites zagenewe kubakwaho imidugudu muri buri Kagari no mu Murenge, abaturage babishaka bakajya kuhatura.

Hari igihe abaturage bubakirwa amazu (urugero mu Karere ka Nyaruguru: i kibeho abaturage bimuwe bubakiwe amazu afite agaciro ka 4,000,000 frw, ariko abaturage ntibayishimira). Akenshi abaturage ntabwo bishimira kubakirwa amazu, bahitamo guhabwa amafranga bakajya kwiyubakira, amafranga asagutse bakayakoresha bikenura.

Akarere nta bufasha gaha abimuwe kuko bishobora gutera ubunebwe abaturage bumva ko ibintu byose Akarere kabibakorera.).

Hari n'igihe abaturage bahabwa ingurane nkeya ugereranyije n'agaciro k'amazu bagiyeye kubakirwa, bityo bakaba badashobora kwishyura ayo mazu bikabaviramo umwenda, bibateza igihombo, bityo abaturage bagahitamo kujya kwiyubakira.

Hari igihe ayo mazu yubakwa muri za quartiers abimuwe batishimiye, bityo bikaba byatera Akarere igihombo, ayo mazu atabonye abayaturamo.

Kutubakira abimuwe bituma abaturage bigiramo umuco wo kwigira no gufashanya bituma abaturage bashobora gusagura amafranga yo gukoresha mu bindi.

26. Igiciro cy'ubutaka kuri metero kare kigenwa gite? Ni iki gitera inyurana ry'ibiciro ku mishinga inyuranye? Ese musanga ako gaciro gakwiye? Mbese haba hari ubwo habaho ubwumvikane ku gaciro k'umutungo hagati y'uwimurwa n'umwimura?

Hari aho ibiciro by'ubutaka bikoreshwa ni ibiciro byashyizweho n'Iteka rya Minisitiri rigena ibiciro by'ubutaka.

Hari n'aho ibiciro by'ubutaka bikoreshwa biba byemejwe n'Inama Nyanama. Iyo hari umushoramari ushaka kugira igikorwa akora ku giti cye, niwe wiyumvikanira n'umuturage ashaka kugurira. (Akarere kitabazwa icyo bombi batabashije kumvikana kandi igikorwa kigiye gukorwa kizagirira abantu benshi akamaro).

27. Ni nde ugena agaciro k'imitungo igihe cyo kwimura abaturage ku nyungu rusange?

Hari amabwiriza (Iteka rya Minisitiri) akena agaciro k'ubutaka.

Hari igihe agaciro k'imitungo kemezwa n'Inama Nyanama.

28. Ni ibihe bibazo by'igenagaciro Akarere gakunze kugezwaho n'abaturage mu gihe cyo kwimura abantu ku mpamvu z'inyungu rusange? Mubikemura mute?

Ibibazo bijyanye n'abaturage batinda kwishyurwa ingurane ku mitungo yabo yabaruwe. Mu kubikemura, Akarere kavugana n'urwego rushinzwe kwishyura kugira ngo abaturage bishyurwe.

Ibibazo by'abaturage babuzwa kugira imirimo bakorerwa ku mitungo yabaruwe kandi batarishyurwa bikabateza igihombo (guhinga, gusana amazu...); abaturage bemererwa gusa guhinga ibihingwa bidatinda (bitarenze amezi 4)

- 29. Bamwe mu baturage bababjijwe bavuga ko hari igihe ubutaka butagenerwa agaciro, ahubwo hakishyurwa ibiri ku butaka gusa; cyangwa ubutaka bugahabwa agaciro, ibiburiho ntibihabwe agaciro. Biterwa n'iki?**

Amateguko ateganya ko imitungo igezweho n'igikorwa cyo kwimura abantu ku mpamvu z'inyungu rusange yose yishyurwa. Icyakora, iyo hariyeho gukorwa umushinga w'inyungu rusange (nk'umuhanda), ugakora ku butaka bw'umuturage ariko nturenze 5% by'umutungo wose, icyo gice cy'ubutaka agatangira Ubuntu; nk'uko biteganywa n'iteka rya Minisitiri rigena ibyubahirizwa n'ibikurikizwa mu gukodesha ubutaka.

- 30. Ese iyo hangijwe igice cy'umutungo mu gihe cy'iyimura, hishyurwa umutungo wose cyangwa hishyurwa ahangijwe gusa?**

Ubusanzwe hishyurwa umutungo wose. Ariko hari igihe bishoboka ko habaho amakosa hakabururwa igice cy'umutungo. Urugero RTDA yigeze kubarira umuntu igice cy'umutungo wakoze gusa, ikindi gice gisigaye iracyireka; ariko ubuyobozi bw'Akarere bubasaba ko babisubiramo; umuturage yishyurwa umutungo wose.

Kubara no kwishyura igice cy'umutungo bishobora kubaho kandi iyo ingengo y'imari yateganyirijwe kwimura abantu ku nyungu rusange yabaye nkeya, harateganyijwe gusa kwishyura imitungo yakozweho n'igikorwa.

- 31. Ni izihe mpamvu zitinza kwishyura ingurane ku mitungo y'abimurwa? Kuki abaturage bategereza igihe kirekire mbere yo guhabwa ingurane kandi ntibemererwe kugira icyo bakorera ku butaka cyangwa muri icyo mitungo igihe bagitegereje ingurane?**

Impamvu z'ibanze ni uko akenshi gikorwa cyo kwimura abantu ku nyungu rusange bitangira, imitungo y'abaturage ikaburwa ingengo y'imari izakoreshwa itarateguwe.

Abaturage babuzwa kugira icyo bakora ku mitungo yabo kuko iba yaraburawe, bakababuzwa kubwongerera agaciro, kuko byatuma kubarura imitungo bisubirwamo.

- 32. Bamwe mu baturage babajijwe bagaragaza ko hari ibyo bizezwa mu gihe cy'iyimurwa ariko ntibabibone. Biterwa n'iki?**

Imyumvire itandukanye y'abaturage ituma batekereza ko hari ibyo bijejwe batabonye, ariko uko mushinga wabwiwe abaturage niko ushyirwa mu bikorwa. Abaturage bashobora kutabona inyungu z'ako kanya, ariko barakomeza bagasobanurirwa.

33. Iyo mwitegereje musanga ingurane ihabwa abaturage bimurwa ku nyungu rusange ihagije?

Ingurane itangwa ntikwiye kuko ibiciro byashyizwe n'iteka rya Minisitiri bigaragara ko byarengeje igihe, hari hakwiye kujyaho ibiciro bishya. Mu rwego rwo kugerageza gutanga ingurane ikwiye, abakozi b'akarere bakora moyenne y'ibiciro biheruka mu gihe abaturage bagurishiga imitungo yabo, akaba aricyo giciro kigenderwaho. Hari n'igihe barebera ku biciro bya Rwiyezamirimo ku bikoresho by'ubwubatsi, bagakuramo TVA, asigaye agafatwa nk'ibiciro biri ku isoko. Ibi bikorwa mu rwego rwo kugerageza gutanga ingurane ikwiye, umuturage atarenganye.

Mu kugena ingurane izatangwa ntabwo hitabwa ku bindi umuturage yatakaje (ku ihungabana yaba yaragize yimurwa aho yari atuye); kuba ibi bititabwaho, ingurane itangwa ntabwo ikwiriye.

34. Ni uruhe ruhare Akarere kagira mu gufasha abazanye imishinga y'iterambere?

Akarere gahuza Umushoramari ufite umushinga n'abaturage batunze ubutaka uwo mushinga uzakorerwaho kugira ngo bababwire umushinga babagaragarize inyungu bazawukuramo.

Umushoramari yiyumvikanira n'abaturage bagomba kwimurwa kubera ibyo bikorwa by'inyungu rusange. Barumvikana iyo bidakunze, Akarere karabumvikanisha, bagashaka umugenagaciro wigenga akagena agaciro kagenderwaho mu kumvikanisha impande zombi.

35. Ni izihe mpinduka cyangwa inama mwifuza ko zashyirwa/zakwitabwaho mu gikorwa cyo kwimura abaturage ku mpamvu z'inyungu rusange?

- Mu kugena agaciro k'imitungo, abagenagaciro b'umwuga bakwifashishwa kugira ngo bajye batangaza buri mwaka ibiciro bizagenderwaho mu gukora expropriation;
- Akarere kagwiye gushaka umugenagaciro w'umwuga agafasha muri expropriation;
- Birakwiye ko umutungo uko ungana kose w'umuturage wakozeho n'igikorwa cyo kwimura abantu ku mpamvu z'inyungu rusange ugomba kubarurwa ukwishyurwa;
- Abakozi b'Akarere bakora igenagaciro bakwiye kwinjizwa mu rugaga rw'abagenagaciro b'umwuga, bagahabwa n'amahugurwa yabafasha gukora uwo murimo;
-

- Gukora igenamigambi rihamye ku bijyanye n'igikorwa cya expropriation hagategurwa n'ingengo y'imari izakoreshwa mbere y'uko ibikorwa byo kwimura abantu bitangira;
Hakorwa amategako yizweho neza kuburyo atagira ingaruka mbi ku
- baturage;
Hakwiye gutekerezwa ku buryo abaturage bagomba kwimurwa batari bishyurwa bakwemerwa kugira imirimo bakorera ku mitungo (nko gusana amazu, guhinga,...).



The Legal Aid Forum

Working Together for Equitable Access To Justice in Rwanda

Project: Implementation of Rwanda's Expropriation law and its outcomes on the population

Ibibazo bigenewe FGDs – Uturere twakorewemo ubushakashatsi

(Musanze, Hotel Fatima, 04 Kamena 2015)

- 36. Ni uruhe ruhari abaturage bagira mu kugena imishinga y'inyungu rusange ?
Mbese imishinga y'inyungu rusange iba iteganyijwe mu mihigo cyangwa mu gishushanyo-mbonera by'Akarere ?**

Abaturage ntibagishwa inama mbere yo gutangiza igikorwa cyo kwimura abantu ku mpamvu z'inyungu rusange. Iyo bagiye gukora igikorwa cyo kwimura abantu ku nyungu rusange, kuu butaka bwo mu mijyi hakurikizwa igishushanyo mbonera. Abaturage bafite uburenganzira bwo kumenya uko giteye.

Ku butaka bw'icyaro, hakoreshwa inama rusange z'abaturage. Muri izo nama abaturage bazitangamo igitekerezo. Abaturage bashobora kwemeza aho igikorwa gikorwa.

- 37. Abaturage bahabwa amakuru bate ku bijyanye n'igikorwa cyo kwimura abantu ku mpamvu z'inyungu rusange?**

Hakorwa inama ibagaragariza ibyiza by'umushinga. Hanyuma imitungo ikababwira bakagaragaza agaciro k'ingurane izatangwa.

Abaturage barasobanurirwa ariko hari igihe ibisobanuro bitangwa biba bidahagije. Abayobozi bakwiye kugerageza gusobanurira abaturage inyungu bazakura mu gikorwa cy'inyungu rusange mbere y'uko gitangira. (Uruero hari nk'aho EWSA yatemye ibiti by'abaturage ibabwira ko izabaha amashyamba, ariko abaturage batasobanuriwe ngo babyemere).

Iyo bamaze kuburira imitungo, hakorwa fiche ya buri muturage, hagashyirwaho ifoto n'abakoze igenagaciro bagasinyira kuri iyo fishi. Abaturage bakabimenyeshwa mu nama rusange yahuriyemo ababwira n'ibibazo. Abayobozi b'inze z'ibanze bahari. Buri muturage wese yerekwaga ifishi ye.

Abaturage barahuzwa bakaganirizwa, noneho bese bagatangira hamwe ibitekerezo kuko baba bazi ibiciro by'ubutaka. Mu kugena ibiciro Abayobozi bareba inyungu z'abaturage na Leta, bareba ko nta ruhande rureganyijwe. Iyo bagiye kubakwa ibikorwa nk'amashuri amavuriro, abaturage baba babyishimiye ku buryo rimwe na rimwe batanga imitungo yabo nta ngurane basabye.

38. Mu baturage babajijwe, hari abaturage bavuga ko batigeze bamenyeshwa ibijyanye n'iyimurwa ryabo. Byaba biterwa n'iki?

Hakoreshwa inama rusange isobanurira abaturage umushinga ujyanye no kwimura abaturage ku nyungu rusange. Abazimurwa bakabimenyeshwa, bakabarirwa imitungo, bakanamenyeshwa uburyo imitungo yabo izishyurwa. Rimwe na rimwe abaturage batanga ibitekerezo ku buryo umushinga washyirwa mu bikorwa (nko kugaragaza ahakubakwa amashuri, amavuriro...)

Mbere y'uko abaturage bimurwa kubera igikorwa cy'inyungu rusange, habanza gukorwa inama isobanura umushinga; nyuma hakarebwa ibarura ry'imitungo, bagakora ibijyanye no kugena agaciri k'imitungo (bareba ubuta ka, ubuso bwabwo, indi mitungo) hagakorwa moyenne y'ibiciro biri ku isoko, akaba aricyo giciro bakurikiza. Hari igihe habaho amananiza iyo ubutaka bwera, abaturage bakifuza amafanga menshi, muri icyo gihe habaho ubwumvikane.

39. Umubare munini w'abaturage ushyigikira imishinga yo kwimurwa mbere y'ishyirwa mu bikorwa ryayo. Nyuma y'ishyirwa mu bikorwa abishimiye iyo mishinga bakagabanuka. Byaba biterwa n'iki?

Iyo ibyo abaturage bari bateganyije batabibonye ku buryo babitekerezaga bishobora gutuma badakomeza gukunda umushinga. (urugero niba baremerewe umuriro baba bumva bazawubona ku buntu, iyo basabwe kugura cash power bahita bumva y'uko ibyo bemerewe bitabonetse, bityo iyo ugize icyo ubasaba ntibabyishimira.

Mu bikorwa by'inyungu rusange akenshi inyungu abaturage bazabikuramo ntizihita zigaragara. Iyo abaturage basobanurirwa bagaragarizwa inyungu zizagera kuri bose, bityo hakaba habonekamo bake batarebwa n'icyo gikorwa ku buryo buri direct.

40. Ese Akarere kabasha gukurikirana imibereho y'abantu bimuwe ku bw'inyungu rusange?

Akarere ntabwo kajya gakurikirana abaturage bimuwe. Iyo abaturage bamaze kwishyurwa barirwariza.

41. Ese Akarere gatanga ubuhe bufasha ku baturage uwe (kububakira amazu, amavuriro amasoko, imihanda) aho bagiye gutura?

Nta bufasha Akarere kagera Abaturage bimuwe. Uwahawe amafanga arimenya. Ariko ubu harateganywa gutegurwa za sites bazajya bimukiramo. Hari aho Akarere gahitamo gutanga ingurane y'ubutaka kurusha iy'amafranga hirindwa ko amafanga yakoreshe nabi.

Ingurane nziza yagenerwa umuturage ni ukumuha umutungo usimbura uwo igikorwa cyo kwimura abantu ku nyungu rusange cyatwaye (ubutaka cg inzu).

Hari igihe abaturage bimuwe bahabwa ingurane y'imitungo (amazu cg ubutaka) ntibabyishimire. Utabyishimiye abarirwa imitungo ye agahabwa ingurane y'amafranga. Ariko iyo Akarere kabonye umuturage ingurane y'amafranga azayikoresha nabi, agirwa inama agahabwa ingurane y'umutungo.

- 42. Igiciro cy'ubutaka kuri metero kare kigenwa gite? Ni iki gitera inyurana ry'ibiciro ku mishinga inyuranye? Ese musanga ako gaciro gakwiye? Mbese haba hari ubwo habaho ubwumvikane ku gaciro k'umutungo hagati y'uwimurwa n'umwimura?**

Ibiciro by'ubutaka bishyirwaho n'aba technicians ku Karere ushinze ubutaka, afatanyije n'Umuyobozi w'Umudugu, n'uw'Akagari. Igiciro kiba cyagenwe n'abatechnicien, icyo gihirwaho baganira n'abaturage. Kugena ibiciro by'ubutaka bikorwa n'abakozi b'uturere bibatera ibibazo, ubu hari gushaka uburyo uturere twajya dukoresha abagenagaciro bigenga. Hatanze isoko ryo gushaka abagenagaciro bigenga. Abakozi b'Akarere hari igihe batanga ibiciro biri ku isoko kuko baba bazi ingengo y'imari iteganyijwe, hanyuma n'abayobozi babo bagashaka kurengera amafranga y'Akarere birengagije inyungu z'Abaturage. Mu kugena agaciro, bahera ku biciro biri ku isoko, hanyuma uwimura n'uwimurwa bakumvikana. Agaciro iyo kabazwe hashingiwe ku biciro biri ku isoko kaba gakwiye kuko, hamwe na hamwe iyo abaturage bamenye agace kazimurwa ku bw'inyungu rusange, bagerageza kuhagura imitungo bagamije kuzabarirwa mu gihe cya expropriation bakimurwa, kuko amafranga atangwa aba ahagije.

- 43. Ni nde ugena agaciro k'imitungo igihe cyo kwimura abaturage ku nyungu rusange?**

Mu gihe cyo kwimura abantu ku nyungu rusange, igenagaciro rikorwa n'abayobozi b'inzego z'ibanze (umudugudu, ES akagari, ES umurenge) bakabyumvikana n'abaturage. Hari igihe agaciro k'imitungo gashyirwaho n'aba technicians baturutse ku Karere. Iyo imishinga ivuye ku zindi nzego, kugena agaciro bikorwa n'aba technicians b'izo nzego. Ibiciro byashyizweho n'Iteka rya Minisitiri ni ibigenderwaho, ntawe ushobora kwishyurwa ingurane iri muni y'ibiciro byagenwe n'Iteka.

- 44. Ni ibihe bibazo by'igenagaciro Akarere gakunze kugezwaho n'abaturage mu gihe cyo kwimura abantu ku mpamvu z'inyungu rusange? Mubikemura mute?**

Nta bibazo byinshi bakunze kwacyira. Urugero nko mu Karere ka Gakenke nta kibazo cy'umuturage bari bakira urega ko yahawe amafranga macye kuko mu kugena agaciro k'imitungo haba habayeho kumvikana. Ikibazo gikunze kugaragara ni uko abaturage batishyurirwa ku gihe. Ubuyobozi bugeraza kuvuga n'abagomba kwishyura.

45. Bamwe mu baturage babajijwe bavuga ko hari igihe ubutaka butagenerwa agaciro, ahubwo hakishyurwa ibiri ku butaka gusa; cyangwa ubutaka bugahabwa agaciro, ibiburiho ntibihabwe agaciro. Biterwa n'iki?

Mu buryo bukurikizwa, iyo igikorwa rusange gitwaye umutungo w'umuturage utagera kuri 5% y'ubutaka bwose, igice gitwaye agatangira Ubuntu mu rwego rwo gutanga umusanzu we mu kubaka igihugu. (Reference icyemezo cy'ubutaka). Umuturage nta burenganzira agira ku butunzi buri muni y'ubutaka (mine). Iyo agiye kubarirwa imitungo ngo yimurwe ibyo ntibibarwa. biri muni y'ubutaka nibyo bitabarwa.

46. Ese iyo hangijwe igice cy'umutungo mu gihe cy'iyimura, hishyurwa umutungo wose cyangwa hishyurwa ahangijwe gusa?

47. Ni izihe mpamvu zitinza kwishyura ingurane ku mitungo y'abimurwa? Kuki abaturage bategereza igihe kirekire mbere yo guhabwa ingurane kandi ntibemererwe kugira icyo bakorera ku butaka cyangwa muri iyo mitungo igihe bagitegereje ingurane?

- Imishinga minini y'ibigo bya Leta itinda kwishyura abaturage.
- Hari igihe Banki zibeshya kuri numero za konti z'abagomba kwishyurwa, bigatinda amafranga.
Gutinda kubera umuturage nta konti afite muri banki, bimusaba
- kuyifunguza
Gutinda biva kuri service ishinze kwishyura (ku ruhande rw'ubuyobozi), Iyo amafranga yishyurwa atari ku ngengo y'imari y'Akarere, kwishyura
- bishobora gutinda.
-

48. Bamwe mu baturage babajijwe bagaragaza ko hari ibyo bizezwa mu gihe cy'iyimurwa ariko ntibabibone. Biterwa n'iki?

Iyo habayeho gushyira mu bikorwa nabi umushinga, bishobora gutuma abaturage batabona ibyo bemerewe. Akenshi inyungu rusange ntabwo ihita igaragara ako kanya. Mu gusobanurira abaturage, babereka inyungu bazakuramo muri rusange ndetse n' umuntu ku giti cye. Igenamigambi ridakoze neza, rishobora gutuma ibyo abaturage bemerewe batabigeraho.

49. Iyo mwitegereje musanga ingurane ihabwa abaturage bimurwa ku nyungu rusange ihagije?

Amafranga yishyurwa ku mishinga y' Akarere ni macye par rapport y'atangwa ku mishanga y'izindi nzego. Iyo umushinga waturutse ahandi mu zindi nzego, ingurane itangwa ntabwo iba ari nkeya kuko aba techniciens ntibabogama kuko nta contrainte budgetaire baba bafite.

50. Ni uruhe ruhare Akarere kagira mu gufasha abazanye imishinga y'iterambere? Gakenke

Abashoramari bafite umushinga bandikira Akarere. Akarere kabashafasha gusobanurira abaturage. Nyuma y'inama habarura imitungo y'abaturage bazimurwa, Akarere kagakurikirana uko bikorwa. Umushoramari atangira gukora iyo amaze kwishyura abaturage. (Akarere ka Gakenke). Iyo hari umuturage utishimiye igiciro, akora contre expertise, Akarere kakagerageza kubumvikanisha n' umushoramari.

Hari ubundi buryo bukoreshwa, aba techniciens b' Akarere bakagena agaciro k'imitungo bafatanyije n' abagenagaciro bashizweho n' Umushoramari. Iyo umushoramari n' umuturage batabashije kumvikana, Akarere karabumvikanisha, harebwa inyungu z' umuturage mbere na mbere.

51. Ni izihe mpinduka cyangwa inama mwifuzaga ko zashyirwa mu gikorwa cyo kwimura abaturage ku mpamvu z'inyungu rusange? abaturage babwirwa imishinga yenda gutangira abaturage batinda guhabwa amafranga

- Mu kugena agaciro, bakwiye kwita ku biciro uwimuwe azaguriraho ibikoreshe byo kubaka kuko ibiciro birahindagurika;
- Gusobanura neza abaturage igikorwa cy'inyungu rusange kugira ngo bawusobanukirwe neza.
- Gukora neza igenamigambi rigaragaza buri hantu hazakorwa ibikorwa by'inyungu rusange ugira ngo abantu bajye baba babizi neza mbere y'uko bitangira.

- Gukangurira abaturage kugira uruhare mu ishyirwaho ry'ibikorwa rusange bityo bakagira umuco wo gufata neza ibikorwa rusange biba byabakorewe;
Kwigisha abaturage neza ibijyanye n'ibikorwa by'inyungu rusange kuko
- akenshi bakunda kugaragaza kutanyurwa.
Hahe ibyo bibazo biteganywa uburyo bwo kwishyura byooroshye abaturage imitungo yabo iba yaragaragajwe nk'ifite ibibazo (litiges) mu
- gihe cyo kwimura abantu; ayo mafranga akajya yoherezwa kuri konti z'imirenge kugira ngo mu gihe ibyo bibazo byakemutse bajye bahita bishyurwa bidatinze.
Hakwiye guteganya ingengo y'imari izakoreshwa mu gihe cy kwimura abantu ku mpamvu z'inyungu rusange, ikaba ihari mbere y'uko kwimura abantu bitangira.
- Mu gihe cyo kwimura abantu ku mpamvu z'inyungu rusange, hakwiye kubahirizwa ibiteganywa n'itegeko.
Mu gihe batinze kwishyura, hakwiye gukurikiza ibiteganywa n'amategeko, ibiciro bigasubirwamo, nyuma y'amezi atatu abantu
- batarishyurwa.
Hakwiye kujya hatangwa ingurane mbere y'uko umuturage yimuka, na mbere y'uko ibikorwa bitangi ku mitungo yabo.
- Kugira uburenganzira bumwe basigira abaturage (nko gusana amazu) mbere y'uko bishyurwa;
Kwishyura umuturage ku mutungo wose ugezweho na expropriation uko waba ungana kose.
- Abshyiraho amategeko bajye bakora amategeko bitaye kuri realites, babanje kureba uko abaturage babayeho n'ingaruka amategeko
- azabagiraho.
Nta muturage ukwiye kwamburwa uburenganzira bwe atarishyurwa. Itegeko ryubahirizwe n'inzego zose.
- Hakwiye gutangwa ingurane ku byo umuturage yatakaje byose.
Hakwiye gutangwa ingurane kuri domage moral zagizwe n'abaturage bimuwe.
- Iyo igikorwa cy'inyungu rusange ari imihanda, hakwiye kwishyurwa imitungo iri hafi y'ahakorerwa imihanda (amazu) kuko iyo mitungo yononekara mu gihe cyo gukora imihanda nubwo iba itagezweho na expropriation.
- Abantu batuye hafi y'imihanda ku mbago zemewe hashingiwe ku itegeko ryakoreshwaga muri icyo gihe, bakwiye kubarirwa nabo kuko n'ubwo
- itegeko ryahindutse ubutaka bari babutundutse hakurikijwe amategeko.
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- Gukora igenamigambi ryiza, ibikorwa bigatangira umuturage yarishyuye kandi yaranimutse.
Mu gikorwa cyo kwimura abantu ku nyungu rusange, uturere dukwiye
- kujya dukoresha abagenda gaciro bigenga, abakozi b'Akarere bagasuzuma ko ibiciro batanze bitagize uruhande bibangamira.

52. Abayobozi bashyira imbere inyungu z'Abashoramari kurusha inyungu z'abaturage

Birashoboka, haramutse habaye gutanga ruswa, ubuyobozi bukaba bwakwiringagiza inyungu z'abaturage.

Ibi ntibikunze kubaho kuko abaturage basigaye bajijutse bashobora kujya kuregera ku buyobozi bwisumbuye ku Karere (nko mu gihe Perezida wa Repubulika yasuye abaturage). Ibi bituma ubuyobozi bw'Akarere bwubahiriza amategako.

Akarere kareba cyane imihigo kurusha inyungu z'umuturage (guhutira abaturage igiciro, imirimo igakorwa huti huti. Igikorwa kigatangira abaturage batahabwa indishyi.

53. Ingorane zigaragara muri expropriation

- Gushyira mu bikorwa expropriation biragora kuko na planning nziza iba yakozwe, bityo guha abaturage ibyo bemerewe nko kwishyurirwa igihe ntibikunde.
Imyumvire y'abaturage iri hasi ntibumve inyungu rusange,
- bagatsimbarara, bakora recours zitari ngombwa.
Abayobozi ntibakwiye kureba inyungu z'Akarere cyane bibanda ku ngengo y'imari, ahubwo bakareba inyungu z'abaturage.
- Uturere dukora imihigo yo gukora ibikorwa by'inyungu rusange, ariko hatarashakwa aho igikorwa kizakorwa (ubutaka) n'ingengo y'imari
- izakoreshwa, bigatuma ibikorwa bikorwa nabi.
Abaturage babuzwa kugira icyo bakora nyuma y'ibaburwa kandi batarishyurwa, ibi bibangamira imibereho yabo ya buri muni.
Rimwe na rimwe abaturage bimurwa mu mitungo yabo, ibikorwa
- bigatangira kandi batarishyurwa.
Ibiciro by'umutungo ntibijya bisubirwamo iyo umuturage yatinze kwishyurwa igihe cy'amezi 3 cyateganyijwe kitarangira, kuburyo
- umuturage ashobora kwishyurwa, ibiciro byarahindutse ku isoko.



The Legal Aid Forum

Working Together for Equitable Access To Justice in Rwanda

Project: Implementation of Rwanda's Expropriation law and its outcomes on the population

Ibibazo bigenewe FGDs – Uturere twakorewemo ubushakashatsi

(Kigali, Hill Top Hotel, 5 Kamena 2015)

- 54. Ni uruhe ruhari abaturage bagira mu kugena imishinga y'inyungu rusange ?
Mbese imishinga y'inyungu rusange iba iteganyijwe mu mihigo cyangwa mu gishushanyo-mbonera by'Akarere ?**

Imishinga y'inyungu rusange imyinshi iba yarateganyijwe mu gishushanyo mbonera cy'Akarere. Igishushanyo mbonera cy'Akarere cyemezwa n'Inama njyanama y'Akarere ; abayigize baba bahagararaye abaturage.

Abaturage bagira uruhare rutaziguye mu kugena imishinga y'inyungu rusange kuko babikora biciye mu nama njyanama.

Rimwe na Rimwe abaturage bagira uruhare mu gusaba ubuyobozi ko bubakorera igikorwa cy'inyungu rusange. Urugero, aho mu Karere ka Kicukiro abaturage basabye Akarere ko kabakorera umuhanda mu Busanza, abaturage biyemeza gutanga 1m na 1,5m ku buntu. Ariko mu gihe hari indi mitungo ikozweho nicyo gikorwa itari muyemewe gutangwa ku buntu, iyo mitungo irishyurwa.

Imishinga y'inyungu rusange kandi iteganywa mu mihigo y'Akarere. Icyakora iyo bitateganyijwe Imihigo ntishobora gutuma habaho expropriation kereka iyo bisanzwe biri mu nyungu rusange.

Gushyira mu bikorwa igishushanyo mbonera cy'Akarere/Imijyi bijyana no kugira imijyi myiza bifatwa nk'igikorwa cy'inyungu rusange bigatuma habaho kwimura abantu. Mu gushyira mu bikorwa igikorwa cy'inyungu rusange, abaturage ntibahabwa ijamba kuko ibiciro biba byateganyijwe akenshi biba biri hasi, abaturage baba bashaka amafanga ajyanye n'ari ku isoko, bityo hagakorwa ibyateganyijwe.

- 55. Abaturage bahabwa amakuru bate ku bijyanye n'igikorwa cyo kwimura abantu ku mpamvu z'inyungu rusange?**

Hatumizwa inama rusange y'abaturage, bakaganirizwa bakerekwa ingaruka nziza igikorwa gifite kuri bo. Inama ziba zigamije gusobanurira abaturage umushinga w'inyungu rusange ugiye gukorwa.

Ese abaturage bagira ijamba ? Abaturage batumirwa kugira ngo bamenyeshwe, ubundi hakurikizwa amategeko ajyanye no kwimura abantu ku bw'inyungu rusange.

Aho bishoboka abaturage basabwa kugira uruhare mu gikorwa giteganywa gukorwa. Urugero niba ari nko kubaka amazu ajyanye n'iterambere

bagakangurirwa kwibumbira mu mashyirahamwe kugira ngo babe bagira uruhare mu kubaka cg kugura imigabane nko muri za societies.

Akarere kabogamira ku bashoramari kurusha inyungu z'abaturage

Abashoramari baba baje gufasha Akarere guhigura imihigo no gushyira mu bikorwa igishushanyo mbonera. Imishinga yabo ifatwa nk'ibikorwa by'inyungu rusange.

Inama Njyanama yemeza ko imishinga izanywe n'abashoramari ari imishinga y'inyungu rusange bityo Akarere kakagira ubufasha kabaha. Iyo Inama njyanama isanze umushinga utari mu nyungu rusange ; uzanye umushinga ushaka kugira ubutaka agura, abugura ku giti cye.

Iyo umushinga uri mu nyungu rusange ba Rwiyemezamirimo bahitamo aho bazakorere, Akarere kakabafasha gusobanurira abaturage ibijyanye n'umushinga.

Akarere gakora inama isobanurira abaturage ibizakorwa n'impamvu z'icyo gikorwa biba byemejwe n'inama njyanama nyuma yo kugenzura niba ibikorwa koko bikurikije amategeko. Inama njyanama yemeza sites zizakorerwaho, bikamenyeshwa abaturage. Mbere y'uko ibikorwa bitangira hakorwa inyigo igaragaza umushinga. Iyi nyigo niyo yerekwa inama njyanama kugira ngo irebe ko umushinga ugamije inyungu rusange. Hakabaho gusobanurira abaturage umushinga.

Institution igaragaza umushinga ifite ukagararagrizwa commission y'ubutaka ikareba niba ari inyungu rusange, commission igasab njyanama ko wemezwa n'inyungu usanze. Commission ishobora guhindura ahashobora gukorerwa expropriation.

Abashoramari bishyura ingurane hagendewe ku igenagaciro rayakozwe hashingiwe ku giciro kiri ku isoko. Abashoramazi bafashwa ni ababa bakora n'inzego z'imirimu ya Leta ; umunutu ku giti cye arirwariza.

Iyo ari umushinga bigaragara ko uzagirira akamaro abaturage, ubuyobozi bujya kuri ruhande rw'umushoramari kuko ubuyobozi bureba inyungu abaturage bazagira zivuye muri uwio umushinga kuribo ubwabo no ku gihugu.

Icyagaragaye ni uko abaturage batajya bishimira gutanga imitungo yabo mu gihe cyose hagiye kubaho expropriation.

56. Mu baturage babajijwe, hari abaturage bavuga ko batigeze bamenyeshwa ibijyanye n'iyimurwa ryabo. Byaba biterwa n'iki?

Iyo igikorwa cy'inyungu rusange cyemejwe n'Inama njyanama, Ubuyobozi butumiza inama bugahurizamo abarebwa n'igikorwa cyo kwimura abantu ku mpamvu z'inyungu rusange, bakaganirizwa, bakabamenyeshwa umushinga, bagasobanurirwa n'uburyo igikorwa kizakorwamo (kubabarira imitungo, kubishyura,...). Abaturage bese barebwa n'igikorwa cyo kwimura abantu bamenyeshwa.

57. Umubare munini w'abaturage ushyigikira imishinga yo kwimurwa mbere y'ishyirwa mu bikorwa ryayo. Nyuma y'ishyirwa mu bikorwa abishimiye iyo mishinga bakagabanuka. Byaba biterwa n'iki?

Biterwa n'umushinga y'abaturage. Mbere y'uko umushinga utangira abaturage basobanurirwa icyo uzabagezaho, inyungu bazawukuramo. Kuba abaturage nyuma y'uko umushinga utangiye badakomeza kuwukunda, biterwa n'inyungu abantu bari aho babifitemo. Urugero, niba bari barabwiwe ko umushinga nutangira bazabona akazi, abazanye umushinga bagasaba ubumenyi runaka abaturage badafite, akazi kagahabwa abandi, abaturage ntibakomeza kwishimira wa mushinga.

Biterwa na none kandi n'umushinga. Iyo abaturage bagize ikindi kintu basabwa kugira ngo inyungu za wa mushinga zibagereho, urugero nko kwishyura imisoro, niba batangiye gukorera mu isoko rya kiyambere, bishobora gutuma badakomeza kwishimira umushinga.

58. Ese Akarere kabasha gukurikirana imibereho y'abantu bimuwe ku bw'inyungu rusange?

Oya! Iyo abaturage bimuwe ku mpamvu z'inyungu rusange bamaze kwishyurwa ingurane zabo, Akarere ntikongera kubakurikirana.

59. Ese Akarere gatanga ubuhe bufasha ku baturage bimuwe (kububakira amazu, amavuriro amasoko, imihanda) aho bagiye gutura?

Rimwe na rimwe hari sites ziba zarateguwe, abimuwe bakaba bajya kuhagura ibibanza bakiyubakira.

60. Igiciro cy'ubutaka kuri metero kare kigenzwe gite? Ni iki gitera inyurana ry'ibiciro ku mishinga inyuranye? Ese musanga ako gaciro gakwiye? Igiciro cy'ubutaka cyagenywe n'iteka.

Nta buryo bwo kugena agaciro k'ubutaka bwagenwe bukoreshwa mu turere twose. Buri Karere gafite uburyo gakurikiza, hari uturere dukoresha uburyo busa.

Uburyo bwa mbere bukoreshwa ni ukugendera ku iteka rya Minisitiri rigena ibiciro by'ubutaka. Ibi biciro nibyo bigenderwaho habarwa ingurane ihabwa abimuwe kubera ibikorwa by'inyungu rusange. Mbere y'uko ibi biciro bishyirwa mu bikorwa byemezwaga n'inama nnyanama y'Akarere.

PS: iyo hari umuturage mu babariwe utishimiye igenagaciro ryakozwe kuri ubu buryo, yongera gukorerwa igenagaciro rishingiye ku biciro biri ku isoko.

Uburyo bwa kabiri bukoreshwa ni ugukora iginegaciro hashingiye ku biciro biri ku isoko nk'uko biteganywa n'Itegeko rigenga kwimura abantu ku nyungu rusange. Muri icyo gihe hakorwa average ishingiyeye ku gaciro kagurishijweho ubutaka mu gihe cyagenywe (igihembwe, umwaka..) akaba aribyongereye bigenderwaho bishyura abagiye kwimurwa.

Inyurana ry'ibiciro riterwa n'uburyo bwakoreshejwe hakorwa igenagaciro. Iri nyurana riterwa kandi n'ubwoko bw'imishinga iba ifite ingengo y'imari itandukanye.

Iteka rya Minisitiri rigena agaciro k'ubutaka ritanga amafanga macye. Gukurikiza iri teka byateje uturere kwacyira ibibazo byinshi by'abaturage bagaragaza ko amfanga bagenewe adahagije. Kuri ubu mu turere twa Kicukiro, Nyarugenge na Gasabo bakoresha uburyo bwo kugena agaciro hashingiwe ku biciro biri ku isoko. Igenagaciro rikorwa n'Abagenagaciro b'umwuga hanyuma ubuyobozi bw'Akarere bukegenzura ko bihuye n'ibiciro biri ku isoko. Igenagaciro rikorwa hashingiwe ku biciro by'ubugure bwakozwe mu gihe gishize hagakorwa average.

Abaturage bishimira imishinga y'izindi nzego kurusha imishinga y'akarere

Bishingira kuri budget. Central government ifite amfanga ahagije kurusha local government. Ahantu himurwa naho hashobora gutuma amfanga atangana.

Hashobora kubaho contrainte budgétaire bigatuma hadakorwa expropriation nk'uko byari biteganyijwe. Ariko muri iki gihe, uturere tumwe tugabanya ubuso bwari gukorerwaho hagafatwa buto buhuye n'ingengo y'imari ihari.

Ibibazo byakirwa akenshi

Ibibabazo bijyanye n'imitungo (imyaka, amazu, etc.) iba itabarurwe mu gihe abaturage bemeye gutanga ubutaka ku buntu mu gihe cyo gukora imihanda. Muri icyo gihe habaho kumvikana icyo miyungo ikabarwa ikishyurwa.

Imyumvire y'abaturage badahita bumva ibikorwa by'inyungu rusange bituma uturere twakira ibibazo, muri icyo gihe barasobanurirwa.

Ikibazo cy'itegeko ry'ikorwa ry'imihanda: Umutarage wari utuye ahantu hemewe hakurikijwe itegeko rya mbere, Leta ikwiye kumuha ingurane ku butaka buzakorerwaho extension y'umuhanda.

Ibibazo bijyanye n'abaturage babuzwa kugira icyo bakora ku mitungo yabo nyuma yo kubarirwa kandi batarishyurwa.

Ibibazo bijyanye n'uko mu gihe cyo kubarura ubutaka hatitabwa ku misoro itangwa na nyir'ubutaka.

Ibibazo bijyanye n'amafanga y'ingurane atabonekera igihe (amafanga aturuka muri central government aratinda, amezi atatu ararenga)

61. Ni nde ugena agaciro k'imitungo igihe cyo kwimura abaturage ku nyungu rusange?

Igenagaciro rikorwa n'abagenagaciro b'umwuga, Akarere kakagenzura niba agaciro batanze gahuye n'ibiciro biri ku isoko.
Igenagaciro rikorwa n'Inama nnyanama ishingiyeye ku Iteka rya Minisitiri rigena ibiciro by'ubutaka.

62. Ni ibihe bibazo by'igenagaciro Akarere gakunze kugezwaho n'abaturage mu gihe cyo kwimura abantu ku mpamvu z'inyungu rusange? Mubikemura mute?

- Ibibazo by'imyumvire, abaturage baba batarumva igikorwa cy'inyungu rusange. Muri iki gihe barasobanurirwa
- Gutinda kwishyura abaturage bagiye kwimurwa; Bakurikirana inzego zishinzwe kwishyura.
- Ibibazo bijyanye na contre expertise/batemeye ibiciro, habaho kumvikana ku buryo umuturage aarenganywa.

63. Bamwe mu baturage bababijwe bavuga ko hari igihe ubutaka butagenerwa agaciro, ahubwo hakishyurwa ibiri ku butaka gusa; cyangwa ubutaka bugahabwa agaciro, ibiburiho ntibihabwe agaciro. Biterwa n'iki?

Iyo umuturage expropriation ikoze ku mutungo we, cg ikorwa ry'umuhanda rimusenye/rimwangirije arabivugaga akishyurwa.
Umuturage ashobora gusaba ko bamukorera expropriation y'igice.

64. Ese iyo hangijwe igice cy'umutungo mu gihe cy'iyimura, hishyurwa umutungo wose cyangwa hishyurwa ahangijwe gusa?

Hishyurwa umutungo wose. Mu bihe byashize birashoboka ko haba harigeze kugaragara aho umuturage atishyurwa umutungo wose, ariko byarakosowe, hishyurwa umutungo wose. Niyo bigaragaye ko ibikorwa by'inyungu rusange hari imitungo y'umuntu byangije, uwangirijwe arabigaragaza akishyurwa.

65. Ni izihe mpamvu zitinza kwishyura ingurane ku mitungo y'abimurwa? Kuki abaturage bategereza igihe kirekire mbere yo guhabwa ingurane kandi ntibemererwe kugira icyo bakorera ku butaka cyangwa muri icyo mitungo igihe bagitegereje ingurane?

Akenshi ibikorwa byo kwimura abantu ku nyungu rusange birakorwa ariko ingengo y'imari izakoreshwa ntihite itangwa.
Abaturage babuzwa kugira imirimo bakorera ku mitungo yabo kuko imitungo iba yarahawe agaciro, hirindwa ko agaciro k'imitungo kiyongera.

66. Bamwe mu baturage babajijwe bagaragaza ko hari ibyo bizezwa mu gihe cy'iyimurwa ariko ntibabibone. Biterwa n'iki?

Biterwa n'inyumvire y'abaturage. Muri rusange ibyo baba babwiwe birakorwa.

67. Iyo mwitegereje musanga ingurane ihabwa abaturage bimurwa ku nyungu rusange ihagije?

Ingurane itangwa igenagaciro ryakurikije ibiciro biri ku isoko irakwiye. Aho ingurane itangwa hashingiwe ku biciro byashyizweho n'iteka rya Minisitiri rigena ibiciro by'ubutaka ntabwo ihagije.

68. Ni uruhe ruhare Akarere kagira mu gufasha abazanye imishinga y'iterambere?

Iyo imishinga y'iterambere izanye na ba Rwiyemezamirimo baciye mu nzegp bwite z'imirimu ya Leta, Akarere kabafasha mu gisobanurira abaturage inyungu bazakura mu mushinga w'iterambere. Hagakurikizwa uburyo busanzwe wo kwimura abaturage ku mpamvu z'inyungu rusange.

Iyo ari Rwiyemezamirimo ku giti cye ufite umushinga ashaka gukorera mu Karere, yumvikana n'abaturage akabagurira.

Uruhare rw'Akarere rugaragara iyo uwimura n'uwimurwa batabashije kumvikana, hagakorwa kubumvikanisha hashingiwe ku biciro biri ku isoko.

69. Ni izihe mpinduka cyangwa inama mwifuzako zashyirwa mu gikorwa cyo kwimura abaturage ku mpamvu z'inyungu rusange?

- Gushyiraho amabwiriza yihariye ajyanye no kugena aho abimuwe bajya batura nyuma yo kwimurwa kuko hariho bamwe mu baturage bakoresha nabi amafranga bahawe bigatuma baba umutwari kuri Leta.
- Amafranga y'ingurane mu gihe abaturage bagomba kwishyurwa batujye ibisabwa (ubutaka bufite ibibazo) yajya yoherezwa kuri komite z'uturere (cg imirengi) kugira ngo ibyo bibazo nibikemuka abaturage bajye bahita bishyurwa. Abaturage bamwe babuze ibyangombwa, ntibyakagombye gutinza iyishyurwa ry'abaturage bose. Hari inzego zimwe zabikoze, projet MINADEF-MINECOFIN, yarabikoze mu Karere ka Rwamagana hafungurwa komite kuri SACCO ku murenge amafranga aba ariho ashirwa.
- Inzego zigiyeye kwimura abantu ku bw'inyungu rusange, zikwiye kugaragaza ibisabwa byose (ku baturage, ku turere...) kugira ngo habeho kwishyurwa bidatinze. Ibi byakorwa bicishijwe mu mategeko cg amabwiriza ku buryo inzego zose zajya zibyubahiriza.
- Gutinda kwishyura abimuwe ku mpamvu z'inyu rusange kuko igikorwa cyo kwimura abantu ku mpamvu z'inyungu rusange kiba kitateguwe neza (igenamigambi rikozwe nabi).

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- Abaturage bishimira guhabwa amafranga kurusha uko bahabwa ingurane y'indi (guhabwa ibibanza, kubakirwa amazu...)

Imbogamizi zigaragara ku bikorwa byo kwimura abantu ku mpamvu z'inyungu rusange

- Abantu bafite resistance kuri changements bigatuma batumva ibikorwa bijyanye n'inyungu rusange
Aho bishoboka abaturage bajye baba involved mu bikorwa bijyanye na
- expropriation aho kugira ngo bajye birukanwa. (inzu zo guturwamo, bahabwe priorite mu kubona aho gucururiza, aho gutura0 expropriation ituma ubuzima bw'abaturage busubira inyuma.
Expropriation zihuta abantu ntibabone umwanya wo kuyigishwa.
Gutinda kwishyura abaturage, kubera utubazo tumwe na tumwe.
- Expropriation zikorwa na central government, amafranga akwiye kujya
- muri local government hanyuma abadafite ibibazo bakajya bishyurwa.
Hari ibikorwa biri mu nshingano za Leta abaturage batakambye kwishyurwa (gukora imihanda then abaturage ntibasabwe gutanga imisoro no gutanga ubutaka bwabo)
- 5% y'ubutaka yatangwa free
Bibaye ku bushake hari abaturage bagira resistance bakunda kunanizanya
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Ibyifuzo ku buryo igikorwa cyo kwimura abantu ku nyungu rusange cyanozwa

- Hakwiye gukorwa mobilization n'inzego bireba zose (les dirigeants politiques aho kwohereza umu techniciens) ku buryo buhagije kugira ngo abaturage bumvishwe neza ibikorwa by'inyungu rusange bigakorwa babyumva kandi babyishimiye.
- Hakwirindwa ibikorwa byo kwimura abantu bikoze ku buryo bwihuta, abaturage ntibabone umwanya wo gusobanurirwa umushinga wo kwimurwa ku nyungu rusange.
- Ibikorwa by'itereambere biba bigenewe abaturage, hakwiye kureba ingamba zatuma mu gihe imijyi irimo itera imbere abaturage batasigara inyuma, nabo bagafashwa nabo gutera imbere. Urugero nko kuba amazu, hagatekererwa ku bushobozi bw'abaturage.
- Gutangira ibikorwa bya kwimura abantu ku nyungu rusange mu gihe ingengo y'imari izakoreshwa ihari ku buryo abaturage bazajya bahita bishyurwa bidatinze;
- Mu gihe kwimura abantu bigiye gukorwa n'inzego bwite za Leta, bigakorwa mu turere, ingengo y'imari izakoreshwa ikorerezwa uturere kugira ngo abaturage bajye bishyurwa bidatinze.

- Kwihutisha kwishyura abimuwe hatbayeho gutinda
- Hakwiye kujya hatunganywa za sites abimuwe bakajya bakangurirwa kujya kuzituramo;
Kugenera abimuwe amafranga y'impozamarira (disturbance compensation) kuko hejuru y'imitungo y'ubutaka hari ibindi baba batakaje ;
- Kugaragaza neza uruhare rw'abaturage mu gukora ibikorwa by'inyungu rusange, n'uruhare rwa Leta
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